

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JANE DOE,

Plaintiff,

-against-

DR. MARJORIE KING, et al.,

Defendants.

**MEMORANDUM OPINION  
AND ORDER**

20-CV-02331 (PMH)

PHILIP M. HALPERN, United States District Judge:

Counsel for plaintiff, outgoing counsel for defendants, and incoming counsel for defendants appeared today via telephone for an initial pretrial conference and pre-motion conference.

The Court directed the parties to file a proposed civil case discovery plan and scheduling order by 1/14/2022 with the following outside dates: fact discovery by 5/13/2022, expert discovery by 7/8/2022, and a case management conference to be held on 8/10/2022 at 10:30 a.m. The parties shall strike the paragraph concerning amended pleadings as no further amendments will be permitted.

The Court granted the motion to be relieved as counsel filed by Maryam Jazini Dorcheh, Esq. (Doc. 77).

With respect to plaintiff's pre-motion letter, the Court construed the letter-motion (Doc. 72) as the motions for judgment on the pleadings and to strike affirmative defenses, pursuant to *In re Best Payphones, Inc.*, 450 F. App'x 8, 15 (2d Cir. 2011) (upholding construction of pre-motion letter as motion). The Court considered the arguments therein, defendants' response thereto (Doc. 75), and for the reasons set forth on the record and case law cited, the Court DENIED plaintiff's motions for judgment on the pleadings and to strike affirmative defenses. See transcript.

The Court discussed with the parties the possibility of resolution of the case. An Order of Reference to Magistrate Judge McCarthy for settlement will be separately docketed.

The Clerk of the Court is respectfully directed to terminate the motion pending at Doc. 77 and to terminate Maryam Jazini Dorcheh, Esq. as counsel of record herein.

SO ORDERED:

Dated: White Plains, New York  
January 13, 2022



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PHILIP M. HALPERN  
United States District Judge